IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

Crl.Rev.Pet.No. 1319 of 2007()

CRA.1127/2003 of ADDL.SESSIONS COURT, PARAVUR
CC.1193/2001 of JUDL.MAGISTRATE OF FIRST CLASS-II, ALUVA

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REVN. PETITIONER: APPELLANT/ACCUSED

M.B.NISHAD SAIT, XII/744,
MANGALATHPARAMBU, PANAYAPPILLY, KOCHI-2.

BY ADV. SRI.PEEYUS A.KOTTAM
SRI.ASHIK K.MOHAMMED ALI

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

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1. SIVAPRASAD, S/O BALAKRISHNAN,
CC X/522, AMMAN KOVIL, AMARAVATHY, KOCHI.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 02/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1319 of 2007

Dated this the 2nd day of April, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo simple imprisonment for six months and to pay a compensation of Rs.2,25,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for a further period of three months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to make the payment. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is affirmed. Revision petitioner is granted six months' time from today onwards to pay the amount of compensation. He shall appear before the Judicial First Class Magistrate Court-II, Aluva on 3.10.2007 to receive the sentence. Non bailable warrant,

pending, if any shall be kept in abeyance till 3.10.2007.

The criminal revision petition is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

csl